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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/523,392	02/03/2005	Akira Akasaka	264741US2PCT	3897
22850	7590	05/19/2008		
OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER				
ELVE, MARIA ALEXANDRA				
ART UNIT		PAPER NUMBER		
3742				
NOTIFICATION DATE		DELIVERY MODE		
05/19/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/523,392

Applicant(s)

AKASAKA ET AL.

Examiner

M. Alexandra Elve

Art Unit

3742

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 5-7 and 9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 5-7 and 9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2 & 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neylan et al. (USPN 5,948,291) in view of Kurosawa et al. (USPN 6,373,026).

Neylan et al. discloses a laser beam distribution apparatus for directing laser energy upon a workpiece (125). There are multiple reflectors (111) which may reflect or transmit, depending on the positioning of the synchronous motor (135). The laser beam is pulsed. The controller (137) with accompanying software yields desired power and time duration. In addition controlled pulse information is sent to the stepper motors (135). If multiple reflections are made there may or may not be an equal distribution of laser power. Through software manipulation the laser beam distribution apparatus is programmable for any combination or permutation of beam distribution with either equal power or different power, at the same time as being switched from reflector member to reflector member in any order. Multiple possibilities for splitting and time switching the laser beam output. The synchronized motor movement is related to time duration and level transmissivity for the reflectors.

Although Neylan et al. indicates a relationship between time duration and movement, the pulse involvement is not specifically taught.

Kurosawa et al. discloses laser beam machining using a pulsed laser. The scanner drive/laser trigger apparatus outputs the trigger of the laser oscillation for the laser oscillator at a predetermined pulse frequency and drive commands for the two beam scanner apparatus. It is possible to position a spot of the laser beam at high speed at an optional drilling position on the printed board having many drilling positions in synchronization with a pulse frequency of the laser beam radiated from the laser oscillator. In addition a reflection mirror disposed in the optical axis of the laser beam is taught.

It would have been obvious to one of ordinary skill in the art at the time of the invention to synchronize the pulses with the laser beam machining because it ensures optimal of the laser beam at all times.

Claims 5-6 & 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neylan et al. and Kurosawa et al., as stated above and further in view of De Steur et al. (USPN 6,649,864).

Neylan et al. and Kurosawa et al. do not teach the use of a mask.

De Steur et al. disclose a mask for use in laser drilling. The perforated mask ensures a uniform energy distribution.

It would have been obvious to one of ordinary skill in the art at the time of the invention to use uniform energy distribution using a mask as taught by De Steur et al. in the Neylan et al. apparatus because it ensures quality drilled holes.

Response to Arguments

Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Alexandra Elve whose telephone number is 571-272-1173. The examiner can normally be reached on 7:30-4:00 Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tu B. Hoang can be reached on 571-272-4780. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

May 11, 2008.

/M. Alexandra Elve/

Primary Examiner, Art Unit 3742